

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

FREDRICK MICHAEL WENGER, JR.,

Civil Case No. 2:11-CV-01502-KI

Plaintiff,

JUDGMENT

v.

RICK COURSEY,

Defendant.

Thomas J. Hester
Assistant Federal Defender
101 SW Main Street, Suite 1700
Portland, Oregon 97204

Attorney for Plaintiff

Ellen F. Rosenblum
Attorney General

Samuel A. Kubernick
Assistant Attorney General
Department of Justice
1162 Court Street NE
Salem, Oregon 97301-4096

Attorneys for Defendant

KING, Judge:

Based on the record,

IT IS ORDERED AND ADJUDGED that petitioner's habeas corpus petition [2] is denied, and this proceeding is dismissed with prejudice. Because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability is denied.

See 28 U.S.C. § 2253(c)(2).

Dated this 9th day of October, 2013.

/s/ Garr M. King
Garr M. King
United States District Judge